UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares : Crim. No. 09-414 (JLL)

v. :

: <u>CONTINUANCE</u> ORDER

ALBAN TASE and

GEJSI SIKO :

This matter having come before the Court on the joint application of Ralph J. Marra, Acting United States Attorney for the District of New Jersey (by David E. Malagold, Assistant U.S. Attorney), and defendants Alban Tase(by Patrick McMahon, Esq.) and Gejsi Siko (by Jonathan Berg, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware he has the right to have the matter brought to trial within 70 days of the date of the indictment pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested and consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

i. Plea negotiations regarding a possible disposition are currently in progress, and both the United States and the defendant desire additional time to meet and confer regarding a disposition, which would render trial of this matter unnecessary and save judicial resources;

- ii. Defendants have consented to and requested the aforementioned continuance;
- iii. Counsel for the defendants request additional time to investigate and prepare the case;;
- iv. Pursuant to Title 18 of the United States Code,
 Section 3161(h)(7)(A), the ends of justice served
 by granting the continuance outweigh the best
 interests of the public and the defendant in a
 speedy trial;
- v. Pursuant to Title 18 of the United States Code,
 Section 3161(h)(7)(B)(i), failure to grant this
 continuance would result in a miscarriage of
 justice; and
- vi. Pursuant to Title 18 of the United States Code,
 Section 3161(h)(7)(B)(iv), failure to grant this
 continuance would unreasonably deny counsel for
 the defendant the reasonable time necessary for
 effective preparation, taking into account the
 exercise of due diligence.

wherefore, on this 20^{th} day of November, 2009.

IT IS ORDERED that trial in this matter is continued from November 23, 2009 to January 25, 2010.

IT IS FURTHER ORDERED that the period from the date of this order through January 25, 2010, inclusive, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to

Title 18, United States Code, Section 3161(h)(7);

Nothing in this order shall preclude a finding that additional periods of time are excludable pursuant to the Speedy Trial Act of 1974.

Motions must be filed by Nec. 7, 2009

Responses due Mec. 21, 2009

Replies due Jan. 4, 2010

A hearing shall be held on fam. 19, 2010

HON. JOSE L. LINARES

United States District Judge

Consented to by:

PATRICK MCMAHON, ESQ. Counsel for defendant

JONATHAN BERG, ESQ.

Counsel for defendant

DAVÍD E. MALÀGOLD

Assistant U.S. Attorney

Title 18, United States Code, Section 3161(h)(7);

Nothing in this order shall preclude a finding that additional periods of time are excludable pursuant to the Speedy Trial Act of 1974.

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United States District Judge

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PATRICK MCMAHON, ESQ. Counsel for defendant

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DAVID E. MALAGOLD Assistant U.S. Attorney Title 18, United States Code, Section 3161(h)(7);

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DAVID E. MALAGOLD Assistant U.S. Attorney